

DOCKET NO: 243847US23CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
THOMAS M. WALKER, ET AL. : EXAMINER: LE, MIRANDA  
SERIAL NO: 10/736,621 :  
FILED: DECEMBER 17, 2003 : GROUP ART UNIT: 2167  
FOR: PATIENT ENCOUNTER :  
ELECTRONIC MEDICAL RECORD  
SYSTEM, METHOD, AND COMPUTER  
PRODUCT

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant acknowledges with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of June 19, 2008, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance on page 8 of the Notice of Allowance mailed June 19, 2008, lines 1 and 2 state that "Claims 1, 14, 27 recite, or similarly recite, in combination with the remaining elements, a patient encounter electronic medical record apparatus, computer product, comprising:." The Statement then recites the body of Claims 1 and 27.

However, although the above statement may be accurate with respect to independent Claims 1 and 27, it is respectfully noted that independent Claim 14 is written in means-plus-function format to invoke interpretation under 35 U.S.C. §112, sixth paragraph. Thus, Claim

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14 does not recite the same features recited in the body of Claims 1 and 27. Accordingly, it is respectfully submitted that the above-discussed Statement applies at most to independent Claims 1 and 27, and does not apply to independent Claim 14 (and claims dependent therefrom).

Respectfully submitted,

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